

UNITED STATES BANKRUPTCY COURT  
THE EASTERN DISTRICT OF VIRGINIA  
(ALEXANDRIA DIVISION)

ELAINE OLIVIA MAGDALENO	)	
	)	Case No. 08-12310-RGM
	)	
Debtor,	)	Chapter 7

**MOTION TO APPROVE AGREEMENT TO AMEND LOAN TERMS**

COMES NOW ELAINE OLIVIA MAGDALENO, (hereinafter “Movant”), by counsel,  
and in support of her Motion to Approve Agreement to Amend Loan Terms, states the  
following:

1. The Bankruptcy Court has jurisdiction over this proceeding pursuant to 28 U.S.C. §1471 and 11 U.S.C. §362.
2. Movant is the debtor in this case and owner of certain real property located at 4326 Eileen Court, Woodbridge, VA 22193.
3. After the filing of this case, the Movant and Bank of America Home Loans entered into negotiations to amend the terms of the mortgage of 4326 Eileen Court, Woodbridge, VA 22193 and have come to an agreement. That agreement includes, among other things, the following terms that would become effective upon the Court’s approval of the Order:

- a. \$11,828.10 will be added to the principal balance of \$274,180.68 prior to the first payment date.
- b. The new monthly payment will be \$1,326.36, which includes \$1,080.87 in principal and interest, and \$245.49 for Escrow.
- c. The interest rate will change to 3.375% on November 1, 2009; 4.375% on November 1, 2010; and, 5.375% on November 1, 2011. The interest rate shall then become fixed at 5.375%

WHEREFORE, the Debtor requests that this Court enter an Order allowing the modification of her mortgage with Bank of America Home Loans as expressed above.

Respectfully submitted,

/s/ Michael J. O. Sandler  
Michael J. O. Sandler, Esq., VSB #46443  
12504-C Lake Ridge Drive  
Woodbridge, Virginia 22312  
(703) 967-3315  
Counsel for Elaine Olivia Magdaleno

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 25<sup>th</sup> day of November, 2009, a true and correct copy of the foregoing was sent via first class mail to the following:

Thomas P. Gorman  
Chapter 13 Trustee  
300 North Washington Street, Suite 400  
Alexandria, Virginia 22314

Bank of America Home Loans Servicing, LP  
Home Retention Division: FWACN-HRD  
4500 Amon Carter Blvd.  
Fort Worth, TX 76155

Elaine Magdaleno  
4236 Eileen Court  
Woodbridge, VA 22193

/s/ Michael J. O. Sandler  
Michael J. O. Sandler